IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FOURTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 13660 of 2004

Between:

M/s Venkateshwara Iron Castings (P) Ltd, Patelguda, Hyderabad, Rep. by its Chairman Sri Ch.VittalKumar S/o. Narsaiah, 45 years, Mangalpally, Patelguda, Ibrahimpatnam R.R. District.

..... PETITIONER

AND

The Commercial Tax Officer Saroornagar, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more particularly one in the nature of writ of mandamus declaring the orders Dt.29.6.2004 in Form No.5 is illegal, arbitrary, improper without authority of law and contrary to the provisions of APGST Act and set aside the same, consequently direct the respondent not to collect the disputed tax for the assessment year 1997-98 pending disposal of the appeal before the Sales Tax Appellate Tribunal and grant such other relief or reliefs as are deemed fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.KUNUKU DURGAPRASAD

Counsel for the Respondent: GP FOR COMMERCIAL TAX

The Court made the following

O R D E R:(Per the Hon'ble Sri Justice Bilal Nazki).

Heard learned counsel for the parties.

Learned counsel for the petitioner submits that he would not insist on the writ petition being entertained, if a direction is given to the appellate authority to dispose of the appeal, expeditiously, as the appeal is pending for the last two years.

Accordingly, we dispose of the writ petition with a direction to the appellate authority to dispose of appeal No.1106 of 2002, within a period of three months. No order as to costs.

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(BILAL NAZKI, J)

4th August, 2004.

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(S.ANANDA REDDY, J)

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To

1. The Commercial Tax Officer Saroornagar, Hyderabad.
2. Two C.Cs to the G.P for Commercial Taxes, High Court Buildings, A.P., Hyderabad (OUT)

3. Two C.D copies.